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8 **UNITED STATES DISTRICT COURT**

9 **SOUTHERN DISTRICT OF CALIFORNIA**

10 **KEVIN LEMIEUX AND ERIK**
11 **KNUTSON, INDIVIDUALLY**
12 **AND ON BEHALF OF ALL**
13 **OTHERS SIMILARLY**
14 **SITUATED,**

15 Plaintiffs,

16 v.

17 **EVANS TIRE & SERVICE**
18 **CENTERS, INC. AND,**
19 **DEMANDFORCE, INC.,**

20 Defendants.

Case No.: 13-CV-430-MMA (JMA)

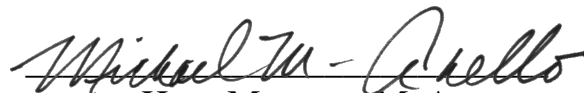
**ORDER OF DISMISSAL WITH
PREJUDICE AS TO PLAINTIFFS
AND WITHOUT PREJUDICE AS TO
THE PUTATIVE CLASS MEMBERS
PURSUANT TO FRCP 41(A)**

[DOC. NO. 39]

21 Based upon the Parties' Joint Stipulation for Dismissal, the Court hereby
22 **DISMISSES** this action with prejudice as to Plaintiffs Kevin Lemieux and Erik
23 Knutson, and without prejudice as to the putative class members. Each party shall
24 bear their own attorneys' fees and costs. The Clerk of Court is instructed to close
25 the case.

26 **IT IS SO ORDERED.**

27 Dated: 6/6/2014

28 
HON. MICHAEL M. ANELLO
U.S. DISTRICT JUDGE